

### **REMARKS**

Claims 1, 2, 3, and 9-12 are pending and under consideration in this application. Claims 4-8 are canceled herein without prejudice or disclaimer. Claims 1, 2, 3, 9, 10, and 11 are amended herein. Claim 12 is added herein. Claim 12 reads on the elected embodiment. Support for the amendments to the claims, and for the new claim, may be found in the claims as originally filed and at page 2, lines 16-31, page 3, lines 21-23, and at page 4, lines 1-11 of the specification. This amendment is believed to place the application in condition for allowance, and entry therefore is respectfully requested. In the alternative, entry of this amendment is requested as placing the application in better condition for appeal by, at least, reducing the number of issues outstanding. Further reconsideration is requested based on the foregoing amendment and the following remarks.

#### **Response to Arguments:**

The Applicants appreciate the consideration given to their arguments. The Applicants, however, are disappointed that their arguments were not found to be persuasive. The final Office Action asserts in section 2, at page 2, that:

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a film for bearing a wafer that is stretched onto a frame) are not part of the "gripper" itself but are directed to the intended use of the gripper.

Nam, to the contrary, shows no "film" as recited in claim 1 at all, whether directed to an intended use of a gripper or not. Nor is the recited "film" an intended use of the gripper in the first place. The recited "film" rather "is stretched onto said frame," as recited in claim 1.

Under the provisions of M.P.E.P. § 2131, moreover, to anticipate a claim, the reference must teach *every* element of the claim. In particular, as provided therein:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Since Nam mentions no film at all, let alone shows "a film provided for bearing a wafer is stretched onto said frame," as recited in claim 1, Nam cannot anticipate claim 1, *Verdegaal Bros.*

Also under the provisions of M.P.E.P. § 2131, the *identical* invention must be shown in as

complete detail as is contained in the claim. In particular, as provided therein:

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Since Nam mentions no film at all, let alone shows "a film provided for bearing a wafer is stretched onto said frame," as recited in claim 1, Nam cannot anticipate claim 1, *Richardson*.

The final Office Action asserts further in section 2, at page 2, that:

Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The Applicants, to the contrary, argued that an element set forth in claim 1, i.e. "a film provided for bearing a wafer is stretched onto said frame," was described in neither Nam nor Kim. All of the elements asserted by the Applicants are recited in the claims, and there is thus no need to import the recitation from the specification. *In re Van Geuns*, consequently, does not apply.

The final Office Action asserts further in section 2, at page 2, that:

In other words, the Nam et al. gripper is capable of handling certain sized frames having a film stretched thereon depending on the shape of the frame/film.

Even if, however, Nam were *capable* of handling certain sized frames having a film stretch thereon depending on the shape of the frame/film, that would still not amount to Nam having "a film provided for bearing a wafer is stretched onto said frame," as recited in claim 1. Nam, to the contrary, shows no film at all, as discussed above.

Further reconsideration is thus requested.

#### **Claim Rejections - 35 U.S.C. § 102:**

Claims 1-3, 9, and 10 were rejected under 35 U.S.C. § 102(b) as being unpatentable over U.S. Patent No. 5,765,889 to Nam et al. (hereinafter "Nam"). The rejection is traversed to the extent it would apply to the claims as amended. Reconsideration is earnestly solicited.

Claim 1 recites:

A film provided for bearing a wafer is stretched onto said frame.

Nam neither teaches, discloses, nor suggests "a film provided for bearing a wafer is stretched

onto said frame,” as recited in claim 1. Nam, in fact, mentions no film at all. In Nam, rather, the wafer is supported horizontally by vacuum-absorption in association with the vacuum-absorbing projections. In particular, as described at column 2, lines 14-21:

The supporting means comprises a plurality of pins which are formed on the fingers and on the body. Moreover, a supporting projection may be provided at a connection point where the branch vacuum lines are branched from the main vacuum line and which has an opening in communication with the main vacuum line, so as to horizontally support the wafer by vacuum-absorption in association with the vacuum-absorbing projections.

Since, in Nam, the wafer is supported horizontally by vacuum-absorption in association with the vacuum-absorbing projections, Nam has no “film provided for bearing a wafer is stretched onto said frame,” as recited in claim 1.

In Nam, moreover, a plurality of pins 20 support a wafer horizontally thereon while the arm holds the wafer by vacuum-absorption. In particular, as described at column 2, lines 49-54:

FIG. 2A shows a novel wafer transfer robot arm in accordance with an embodiment of present invention, which includes a body 11, two fingers 12 extending in parallel from respective ends of the body 11, and a plurality of pins 20 for horizontally supporting a wafer thereon while the arm holds the wafer by vacuum-absorption.

Since, in Nam, a plurality of pins 20 support a wafer horizontally thereon while the arm holds the wafer by vacuum-absorption, Nam has no “film provided for bearing a wafer is stretched onto said frame,” as recited in claim 1.

In Nam, moreover, three horizontal supporting pins 20 are provided to horizontally support a wafer on the arm while the wafer is held by vacuum-absorption at the vacuum-absorbing projections 14 on the fingers 12. In particular, as described at column 2, lines 66 and 67, continuing at column 3, lines 1-7:

In this embodiment, three horizontal supporting pins 20 are provided to horizontally support a wafer on the arm while the wafer is held by vacuum-absorption at the vacuum-absorbing projections 14 on the fingers 12. One pin is formed on the body 11, and the remaining pins are formed on the two fingers 12, respectively. The pins on the fingers 12 are spaced apart from the vacuum-absorbing projections 14, respectively. The height of each pin 20 is equal to or less than that of each vacuum-absorbing projections 14.

Since, in Nam, three horizontal supporting pins 20 are provided to horizontally support a wafer on the arm while the wafer is held by vacuum-absorption at the vacuum-absorbing

projections 14 on the fingers 12, Nam has no "film provided for bearing a wafer is stretched onto said frame," as recited in claim 1.

Claim 1 recites further:

Said frame with the film stretched thereon.

Nam neither teaches, discloses, nor suggests a "frame with the film stretched thereon," as recited in claim 1. Nam, rather, describes no film at all, as discussed above, let alone a "frame with the film stretched thereon," as recited in claim 1. Claim 1 is submitted to be allowable. Withdrawal of the rejection of claim 1 is earnestly solicited.

Claims 2, 3, 9, and 10 depend from claim 1 and add additional distinguishing elements. Claims 2, 3, 9, and 10 are thus also submitted to be allowable. Withdrawal of the rejection of claims 2, 3, 9, and 10 is earnestly solicited.

**Claim Rejections - 35 U.S.C. § 103:**

Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nam in view of U.S. Patent No. 6,068,316 to Kim et al. (hereinafter "Kim"). The rejection is traversed to the extent it would apply to the claims as amended. Reconsideration is earnestly solicited.

Claim 11 depends from claim 1 and adds further distinguishing elements. Nam neither teaches, discloses, nor suggests "a film provided for bearing a wafer is stretched onto said frame" or a "frame with the film stretched thereon," as discussed above with respect to the rejection of claim 1. Kim does not either, and thus cannot make up for the deficiencies of Nam with respect to claim 11. In Kim, rather, a tweezer of a wafer holder endures the load of the wafer. In particular, as described at column 2, lines 9-16:

Accordingly, in order to overcome one or more of the problems associated with the conventional art, it is an object of the present invention is to provide a large diameter wafer conveying system which can hold a wafer more stably, such that a tweezer of a wafer holder endures the load of the wafer in a sufficiently dispersed manner so as to prevent the wafer from being scratched, or generating contaminating particles, or being broken.

Since, in Kim, a tweezer of a wafer holder endures the load of the wafer, Kim has no "film provided for bearing a wafer is stretched onto said frame" or "frame with the film stretched thereon," either, and thus cannot make up for the deficiencies of Nam with respect to claim 11 in any case.

Application Serial No. 10/539,774  
Amendment filed March 31, 2008  
Reply to final Office Action mailed February 28, 2008

In Kim, moreover, the wafer holder 10 comprises a plurality of tweezers 12, each of which can hold a wafer. In particular, as described at column 3, lines 64-67, continuing at column 4, lines 1-4:

Also, as shown in FIGS. 4 through 7, the wafer holder 10 comprises a plurality of tweezers 12, each of which can hold a wafer, and a tweezer block 14 for fixing the plurality of tweezers 12. The plurality of tweezers 12 are provided with a plurality of contacting portions 12a which are spaced from each other by a certain horizontal distance, with the contacting portions 12a defining a fork-shaped configuration (see FIG. 6).

Since, in Kim, the wafer holder 10 comprises a plurality of tweezers 12, each of which can hold a wafer, Kim has no "film provided for bearing a wafer is stretched onto said frame" or "frame with the film stretched thereon," either, and thus cannot make up for the deficiencies of Nam with respect to claim 11 in any case. Thus, even if Nam and Kim were combined as proposed in the final Office Action, claim 11 would not result.

**New claim 12:**

Claim 12 depends from claim 1 and adds further distinguishing elements. Claim 12 is thus believed to be allowable.

**Conclusion:**

Accordingly, in view of the reasons given above, it is submitted that all of claims 1, 2, 3, and 9-12 are allowable over the cited references. Allowance of all claims 1, 2, 3, and 9-12 and of this entire application is therefore respectfully requested.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Application Serial No. 10/539,774  
Amendment filed March 31, 2008  
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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: March 31, 2008

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